UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1998/NGO/32
24 August 1998

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Agenda item 2

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Joint written statement submitted by Women's International Democratic Federation, World Confederation of Labour and World Confederation of Labour, non-governmental organizations in general consultative status, Afro-Asian Peoples' Solidarity Organization, Coalition against Trafficking in Women, Habitat International Coalition, Indigenous World Association, International Association of Democratic Lawyers, International Federation of Women in Legal Careers, International League for Human Rights, Latin American Federation of Associations of Relatives of Disappeared Detainees, North South XXI, Pax Christi International, Pax Romana, United Towns Agency for North-South Cooperation, War Resisters International, Womens' International League for Peace and Freedom and Worldview International Foundation, non-governmental organizations in special consultative status, Association of World Citizens, Centre Europe-Tiers Monde, International Educational Development, Inc., International Federation of Free Journalists, International Institute for Peace, Movement against Racism and for Friendship among Peoples, World Organization against Torture, non-governmental organizations on Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 August 1998]

Declaration on the Islamic Republic of Iran

1. Since the adoption of resolution 1998/80 by the United Nations Commission on Human Rights on 22 April 1998, which stressed that "human rights continue to be violated in Iran", developments in Iran demonstrate that not only has there been no improvement in this respect, but that the situation has deteriorated in every respect.

2. At least 32 reported cases of execution since the beginning of June bring to 250 the number of public executions during Mohammad Khatami's presidency. For the first time since the law to toughen sentences was adopted by the Majlis (Parliament), four men were hanged on 17 June for what the judge said was "insulting his Eminence the Imam and the exalted leader of the Revolution (i.e. Ali Khamenei)" (Hamshahri, 18 June 1998).

3. In early July, 15 people were hanged in public in one day in the city of Sarakhs, in the north-eastern province of Khorassan. In Mashad, the province's capital, a number of prisoners were killed by gassing. Meanwhile, the commander of Mersad garrison in south-east Iran told the media that "we have not been given orders to arrest and hand over those who carry weapons. On the basis of a directive we have received, we will execute any bandits, wherever we capture them" (Ettela'at, 25 February 1998).

4. In this period, religious minorities continued to be persecuted. At least two members of the Sunni faith were killed mysteriously and a Bahai was executed on 21 July.

5. Senior officials have formally and publicly confirmed stoning as a punishment. Atta'ollah Mohajerani, the Minister of Culture and Islamic Guidance and Khatami's Cabinet spokesman, who is known in the West as the most "moderate" Cabinet minister, said in reply to a question by a reporter: "Would it be in our interest if an act of stoning is filmed and broadcast abroad? If not, we should consider carrying out the verdict in front of a small crowd of believers in order to forestall public backlash" (Ressalat, 7 April 1998).

6. According to the Amnesty International 1998 annual report, "Judicial punishments amounting to torture [and] cruel, inhuman or degrading punishments, including flogging and stoning, continued to be imposed ... Methods included beatings, severe burns, electric shocks, sleep deprivation, threatened executions and threats to relatives." So widespread is the extent of torture that the mayor of Tehran said in the course of his trial that in order to extract confessions from his colleagues, torture was extensively used in illegal detention centres (Associated Press, 5 July 1998). In comments published in the State-controlled media on 20 July, a senior judiciary official, Mohammad Hossein Ziai Far, acknowledged the "use of torture [and] cruel treatment to extract confessions from those arrested and the existence of secret detention centres". He admitted that many people "are unaware of the fate of their family members" (Reuters, 20 July), who are abducted by Intelligence Ministry agents or other relevant repressive organs.

7. The trial of Tehran Mayor Gholam-Hossein Karbaschi, while exposing the astronomical dimensions of corruption and graft all levels of Government, laid bare before the whole world that a court where a mullah plays the role of

prosecutor, judge and jury symbolizes a judiciary which is in blatant contradiction with internationally recognized norms and standards and the regime's obligations.

8. Reacting to the rise in public discontent across the country, manifested in more than 100 popular uprisings and protests, essentially due to the dramatic deterioration of the economic situation and the policies of suppression in recent months, the Iranian regime has resorted to violent crackdown as a result of which hundreds have been wounded and many more arrested. In the most recent case, during a demonstration by more than 5,000 residents in the Massoudieh ghetto in south-east Tehran on 5 and 6 July at least 25 were wounded and 46 arrested about whom there is no information available. They had protested the demolition of their homes by municipal agents and the State Security Forces.

9. The plans for gender-based segregation of technical and administrative matters in educational and medical centres (Women's magazine, June 1998), and the ban on promoting women's equal rights (Women's magazine, May 1998), presented to the Majlis provoked strong and widespread protest by Iran's medical community, particularly women. These are yet further steps to legalize gender discrimination against women. International news agencies have also reported the arrests of, and assaults on, women on the pretext of mal-veiling in Tehran and other cities (Agence France Presse, 18 May, 26 June, 27 July, AP, 27 June).

10. As for freedom of speech and the press, developments in recent months reflect greater censorship even against those newspapers which belong to the regime's factions and in their own words pursue no other aim than to preserve the mullahs' regime and "let off the steam in the society's pressure cooker". On 9 June, the judiciary issued orders to ban the publication of two newspapers, Iame'eh and Gozaresh-e Rooz (AFP). At least 10 other dailies and weeklies have been sentenced to pay fines and restrictions on publication. More than 40 other dailies are awaiting trial (Ressalat, 5 February). Islamic Culture Minister Mohajerani confirmed the court's verdicts and stressed that "publications which for whatever reason violate their rights and boundaries, are considered as offenders. We support the law and the court's verdict" (Islamic Republic News Agency, 29 June 1998).

11. Meanwhile, there has been a great deal of propaganda about the publication of new dailies and journals in Iran since Khatami became president. So far, no publication that would criticize the abuse of human rights or the torture, execution or assassination of dissidents abroad has been given permission to publish.

12. In the same period, no opposition gathering has been allowed to take place. In cases where the public have held gatherings without a permit from the Interior Ministry, they were attacked by the Revolutionary Guards and brutally suppressed. What the Commission on Human Rights resolution and some Western media have referred to as "greater openness to holding assemblies", relates only to groups affiliated with the regime's various factions. The conflict among the regime's internal factions which has spilled over into the streets cannot be viewed as a tendency toward liberalizing society's atmosphere.

13. In short, one year after Khatami took office as president, not only has there been no change towards the establishment of civil society and the rule of law, but Khatami has stated unequivocally that the "rule of law" means "defending the velayat-e faqih" and only those "who adhere to Islam and the leader" can engage in political activity. Underscoring that he was putting forth an official position of the regime, mullah Ahmad Jannati, secretary for the Council of Guardians, said during Friday prayers on 24 July: "They have no right to ... tell us you are terrorists, you sponsor terrorism, you violate human rights, you intend to procure weapons of mass destruction. His Eminence the Imam spoke on Rushdie. No one dares to violate the Imam's decree. It remains in force. They must acknowledge and accept this. They should never again raise this matter here. The argument is over."

14. Instead of basing our judgement on hollow slogans, promises and comments by Iranian government officials, we have taken into consideration the regime's conduct in its totality and the realities prevailing in society as the basis for our assessment of the regime's respect for international norms and standards. It is clear that the difference between the regime's two factions as regards human rights is the difference between carrying out stoning in public, or in secret before a limited number of believers.

15. The forthcoming session of the United Nations General Assembly is a suitable arena to put to the test the commitment of Member States, particularly the sponsors of the resolution on Iran, to recognize human rights principles, free of any attempt at appeasement or political and economic considerations. The draft of any resolution about the situation of human rights in Iran must reflect the grave dimensions of the human rights abuses in that country, to only a few of which this statement refers. The draft resolution must also avoid offering concessions which will be exploited by the Tehran regime to further ignore international laws and covenants.